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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT EXAMINING OPERATION

Applicant:

James B. Copelan

Serial No:

09/729,888

Group Art Unit:

3764

Filed:

December 4, 2000

Examiner:

Michael A. Brown

Att. Docket No.:

C1123/20008

Confirmation No.:

7354

For:

A PRE-SURGICAL SAFETY, WARNING NOTIFICATION

AND/OR SAFETY DEVICE

COMMUNICATION

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

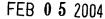
Sir:

Introductory Comments

The Applicant's representative gratefully acknowledges the courtesies extended by the Examiner during the telephone conference of January 29, 2004, during which the Examiner agreed to review the following proposed claims. Proposed Claim P1 is intended to represent rejected device Claim 9 rewritten as a method claim in response to the Examiner objection to claiming a part of the body. It is believed that overcoming the 35 U.S.C. 112 problem will also overcome the prior art problems under 35 U.S.C. 102 and 35 U.S.C. 103.

Claim P2 is directed to Fig. 1 where the Examiner indicated there may be allowable subject matter. Claims P3, P4 depend from Claim P2.





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Law Offices

CAESAR, RIVISE, BERNSTEIN, COHEN & POKOTILOW, LTD.

Patents, Trademarks & Copyrights 12th Floor - Seven Penn Center 1635 Market Street Philadelphia, PA 19103-2212 (215) 567-2010

Fax : (215) 751-1142 Sender's c-mail: fmlinguiti@crbcp.com

Alan H. Bernstein Stanley H. Coben Manny D. Pokotilow Barry A. Stein Martin L. Faigus Eric S. Mardul Robert S. Süver Michael J. Berkowitz Scott M. Stomowitz Mona Oupta
David M. Tener
James J. Kozuch
William J. Castillot
Frank M. Linguili
Salvatore Guerriero*
Gury A. Greenc
Michael Cornellson

Bruce J. Chasan Marina E. Volin Allan H. Fried, Counsel Max Goldman*, Of Counsel

A.D. Caesar (1901 - 1995) Charles W. Rivise (1900 - 1951) "Also admitted to practice in NJ † Admitted only in NJ and NY

FACSIMILE TRANSMITTAL SHEET

TO:

Examiner Michael A.Brown DATE:

February 5, 2004

URGENT HAND CARRY TO EXAMINER MICHAEL A. BROWN

TELECOPIER NO: (703) 872-9302

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Frank Linguiti, Esq.

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C1123/20008

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COMMENTS:

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